

Claims 1-17 are pending in this application.

The Examiner has rejected claims 3-5 under 35 U.S.C. 112, second paragraph, as being indefinite. The Applicant respectfully traverses this rejection.

The Examiner asserts that it is unclear what is meant by the term "effects." Webster's New Collegiate Dictionary provides the following definition:

**effect** vt 1: to cause to come into being 2 a: to bring about ... b: to put into effect ...

The Applicant respectfully maintains that claims 3-5 are not indefinite, because the phrase "a controller that effects the communication of the parameter and the other parameter" is clear in view of the common definition of the term "effects", and respectfully requests the Examiner's reconsideration of the rejection of claims 3-5 under 35 U.S.C. 112, second paragraph.

The Examiner has rejected claim 16 under 35 U.S.C. 112, second paragraph, as being indefinite. The Applicant respectfully traverses this rejection.

The Examiner asserts that it is unclear what is meant by "substantially equal". The Applicant respectfully maintains that the term "substantially equal" is commonly used in patent claim language to assure that the scope of the claim includes methods or apparatuses that have differences that are insubstantial for the intended purpose of the invention. Black's Law Dictionary, Sixth Edition provides the following definition:

**Substantially.** Essentially: without material qualification; in substance; materially; in a substantial manner.

For example, in the context of claim 16, which claims substantially equal cryptographic keys, if the two keys are in different formats, they would not be "equal" per se, but one of ordinary skill in the art would recognize that a change of format is insubstantial for the purposes of the claimed invention, i.e. that the two keys are "substantially equal".

The Applicant respectfully maintains that claim 16 is not indefinite, because the phrase "the first cryptographic key and the second cryptographic key are substantially equal" is clear in view of the common use of the term "substantially" in patent claims,

and respectfully requests the Examiner's reconsideration of the rejection of claim 16 under 35 U.S.C. 112, second paragraph.

The Examiner has rejected claims 1-3, 6-7, and 10-13 under 35 U.S.C. 102(b) as being anticipated by Shinyagaito et al. (USP 5,886,753, hereinafter Shinyagaito). The Applicant respectfully traverses this rejection.

In independent claim 1, upon which claims 2, 3, 6, 7, and 10 depend, the Applicant claims a remote control device having a receiver that receives a parameter from one device and a transmitter that transfers the parameter to another device that it controls via user input.

In Shinyagaito, commands from a remote control device 5 are relayed to a controlled device 2, via another controlled device 1. In Shinyagaito's example, controlled device 1 is a television, and controlled device 2 is a VCR. When the user selects the VCR to control (FIG. 4B), the television 1 displays a control panel corresponding to VCR controls (FIG. 5B). When the user selects items in the control panel via the remote control device 5, a suitable command is communicated from the television 1 to the VCR 2.

Shinyagaito's remote control device 5 does not include a receiver that receives parameters from a device, and Shinyagaito's remote control device 5 does not include a transmitter that transmits a parameter from another device to a controlled device, as specifically claimed in claim 1, and therefore the Applicant respectfully requests the Examiner's reconsideration of the rejection of claims 1-3, 6-7, and 10 under 35 U.S.C. 102(b) as being anticipated by Shinyagaito.

In independent claim 11, upon which claims 12 and 13 depend, the Applicant claims a method for a parameter exchange between two devices, using the transceivers in the devices that are used to communicate with a remote control device.

In Shinyagaito, communications from the remote control are received at receiver 13 of device 1 and receiver 34 of device 2. As the term transceiver is commonly used and understood, a transceiver includes both a transmitter and a receiver; Shinyagaito teaches only a receiver 13, 34 at each of the controlled devices 1, 3 for communicating with the

remote control device 5, and thus does not teach the claimed transceiver. Further, communications between the devices 1, 3 are provided by transceivers 15 and 36 of devices 1 and 2, respectively, and not via the communication devices 13, 34 that are used to receive communications from the remote control device 5, as specifically claimed.

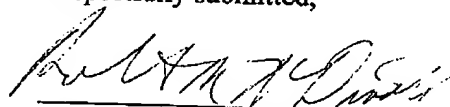
Because Shinyagaito does not teach transmitting a parameter from a first device to a second device via transceivers that are used to communicate with a remote control device, as specifically claimed in claim 11, the Applicant respectfully requests the Examiner's reconsideration of the rejection of claims 11-13 under 35 U.S.C. 102(b) as being anticipated by Shinyagaito.

The Examiner has rejected claims 4, 5, 8, 9, 14, 15, and 17 under 35 U.S.C. 103(a) as being unpatentable over Shinyagaito in view of Diffie et al. (USP 5,371,794, hereinafter Diffie) and Schneier (Applied Cryptography 2<sup>nd</sup> edition, October 1995, John Wiley & Sons). The Applicant respectfully traverses this rejection based on the comments above regarding claims 1 and 11, upon which each of these rejected claims depend.

Shinyagaito neither teaches nor suggests transferring parameters between devices via a remote control device. Shinyagaito does not teach or suggest a remote control device that receives a parameter from one device and transmits it to another controlled device, as claimed in claim 1, and Shinyagaito does not teach or suggest a method of exchanging parameters between two devices using transceivers that are used to communicate with a remote control device, as specifically claimed in claim 11. Therefore, the Applicant respectfully requests the Examiner's reconsideration of the rejection of claims 4, 5, 8, 9, 14, 15, and 17 under 35 U.S.C. 103(a) as being unpatentable over Shinyagaito in view of Diffie and Schneier.

In view of the foregoing, the Applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the present application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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On 3 August 2003

By

